

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/788,660	KAMON ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	John M. Villecco	2612	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed on February 28, 2005.
2. ☒ The allowed claim(s) is/are 1-13 and 21-25. (renumbered claims 1-18)
3. ☒ The drawings filed on 28 February 2005 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |  |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                    |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|   | 9. <input type="checkbox"/> Other _____.   |

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Edward J. Wise on May 25, 2005.

2. The application has been amended as follows:

- **Please cancel claims 14-20.**

### EXAMINER'S STATEMENT OF REASONS FOR ALLOWANCE

3. **Claims 1-13 and 21-25 are allowed.**

4. The following is an examiner's statement of reasons for allowance:

Regarding *claim 1*, the primary reason for allowance is that the prior art fails to teach or reasonably suggest a three-dimensional measuring device that is removably attached to the two-dimensional photographing device, wherein the two-dimensional photographing device and the three-dimensional measuring device communicate with each other and information indicating an operating condition of one of the devices is transmitted to the other, and sets an operating condition in response to the received information, and the three-dimensional measuring device can perform three-dimension measuring by itself.

As for *claim 3*, the primary reason for allowance is that the prior art fails to teach or reasonably suggest a three-dimensional measuring device that is removably attached to the two-dimensional measuring device wherein the three-dimensional measuring device can perform three-dimensional measuring by itself.

Regarding *claim 4*, the primary reason for allowance is that the prior art fails to teach or reasonably suggest a three-dimensional measuring device that is removably attached to a two-dimensional photographing device, the two-dimensional photographing portion includes a calculating portion for calculating information related to the measurement condition of a three-dimensional measuring device and a transmitting portion for transmitting the calculated information.

As for *claim 5*, the primary reason for allowance is that the prior art fails to teach or reasonably suggest a three-dimensional measuring device that is removably attached to a two-dimensional photographing device, the two-dimensional photographing device includes a setting portion for setting a photographing condition in accordance with the information received from the three-dimensional measuring portion.

With regard to *claim 6*, the primary reason for allowance is that the prior art fails to teach or reasonably suggest a three-dimensional measuring device that is removably attached to a two-dimensional photographing device, the three-dimensional photographing portion includes a calculating portion for calculating information related to the measurement condition of the two-dimensional measuring device and a transmitting portion for transmitting the calculated information.

Regarding *claim 7*, the primary reason for allowance is that the prior art fails to teach or reasonably suggest a three-dimensional measuring device that is removably attached to a two-dimensional photographing device, the two-dimensional photographing device includes a receiving device for receiving the information from three-dimensional measuring device and a setting portion for setting a photographing condition in accordance with the received information when the receiving portion received the information transmitted from the three-dimensional measuring device.

As for *claim 9*, the primary reason for allowance is that the prior art fails to teach or reasonably suggest a two-dimensional measuring device to which a three-dimensional measuring device is removeably attached, wherein the three-dimensional measuring device can perform three-dimensional measuring by itself.

As for *claim 10*, the primary reason for allowance is that the prior art fails to teach or reasonably suggest a two-dimensional photographing device to which a three-dimensional measuring device is removably attached, the two-dimensional measuring device includes a receiving portion for receiving information from the three-dimensional measuring device and a setting portion for setting a photographing condition in accordance with the received information.

Regarding *claims 11 and 12*, the primary reason for allowance is that the prior art fails to teach or reasonably suggest a three-dimensional measuring device that is removeable detachable from a two-dimensional photographing device, wherein the three-dimensional measuring device can perform three-dimensional measuring by itself.

With regard to *claim 21*, the primary reason for allowance is that the prior art fails to teach or reasonably suggest a three-dimensional measuring device that is removably attached to a two-dimensional photographing device, the three-dimensional measuring device includes a outputting portion for outputting the measured distance information to the two-dimensional photographing device.

Regarding *claim 22*, the primary reason for allowance is that the prior art fails to teach or reasonably suggest a three-dimensional measuring device that is removably attached to a two-dimensional photographing device, the two-dimensional photographing device includes a receiving portion for receiving the measured distance information from the three-dimensional measuring device.

As for *claim 24*, the primary reason for allowance is that the prior art fails to teach or reasonably suggest a three-dimensional measuring device that is removably attached to a two-

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dimensional photographing device, the three-dimensional measuring device including an acquiring device for acquiring a measurement result and outputting the measurement result to the two-dimensional photographing device.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."


Any inquiry concerning this communication or earlier communications from the examiner should be directed to John M. Villecco whose telephone number is (571) 272-7319. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy Garber can be reached on (571) 272-7308. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



John M. Villecco  
May 25, 2005



WENDY R. GARBER  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600